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HOUSE OF REPRESENTATIVES
REPORT
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FORT SMITH MUNICIPAL AIRPORT, FORT SMITH, ARKANSAS

JUNE 7, 1991.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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Mr. ROE, from the Committee on Public Works and Transportation, submitted the following

REPORT

[To accompany H.R. 2132]

[Including cost estimate of the Congressional Budget Office]

The Committee on Public Works and Transportation, to whom was referred the bill (H.R. 2132) to authorize the Fort Smith Airport Commission to transfer to the city of Fort Smith, Arkansas, title to certain lands at the Fort Smith Municipal Airport for construction of a road, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

H.R. 2132 authorizes the Ft. Smith Airport Commission to transfer to the City of Ft. Smith, Arkansas certain lands at the Ft. Smith Municipal Airport for the construction of a road.

BACKGROUND

Most of the land in question was purchased with Federal funds under the Airport Improvement Program or its predecessors. When the airport received these grants, it made a standard assurance (under Section 511(a)(14) of the Airport and Airway Improvement Act of 1982) that if the land were conveyed, the airport would receive fair market value for the land and reinvest the proceeds in an approved airport improvement project.

The Airport Commission and the City would like the conveyance of this property to take place without any monetary payment. In lieu of monetary payment, the City proposes to transfer a similar size parcel of property to the airport. In essence, a land swap between the City and the Airport Commission would be undertaken.

The Federal Aviation Administration, which enforces the grant assurances, has not been able to conclude that the land swap tech-

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nically complies with the requirement that the Airport receive "fair market value" for the property. For this reason, the FAA has not approved the transfer of the property. The FAA has no objection to the swap transaction from a policy standpoint, but is unsure of whether it has the authority to say that such a swap technically constitutes fair market value.

NEED FOR THE LEGISLATION

The Committee believes that the proposed land swap is in the public interest and will well serve the interests of the airport and the traveling public. First, the City wants to build a road on the transferred property which would improve access to the airport. Also, the property which the airport would receive from the City has a road on it which would be closed to the public after the new road is built. The FAA wants this road closed because of its proximity to a runway and a radar facility. Closing the road would enhance the safety and security of the airport.

The Committee believes that for these reasons, the airport should be released from fair market value compensation grant assurances for this particular land transaction. The Committee believes that the land swap certainly complies with the intent of these assurances.

Generally, the Committee continues to believe that the assurance that fair market value be received in these types of transactions is in the public interest. The Committee expects the FAA to vigorously enforce this and other grant assurances provided for in the Airport and Airway Improvement Act.

SECTION-BY SECTION DESCRIPTION

Section 1 authorizes the Ft. Smith Airport Commission to transfer certain property to the City of Ft. Smith without monetary consideration, notwithstanding section 511(a)(14) of the Airport and Airway Improvement Act of 1982.

Section 2 imposes conditions on the authorized transfer, specifically that certain roads will be closed and certain lands will be transferred from the city to the Airport Commission.

COMMITTEE ACTION AND VOTE

With respect to clause 2(l)(2)(a) and (b) of rule XI of the Rules of the House of Representatives, the Committee with a majority present favorably reported H.R. 2132 by a voice vote on May 21, 1991.

Prior to the Committee's action, the Subcommittee on Aviation favorably reported H.R. 2132 to the Committee on May 1, 1991.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the Subcommittee in Investigations and Oversight has held no hearings on the subject of H.R. 2132

With respect to clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has not received a report

from the Committee on Government Operations pertaining to the subject matter of the legislation.

CONGRESSIONAL BUDGET ACT REQUIREMENTS

With respect to clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives, and in compliance with section 308(a) of the Congressional Budget Act of 1974, a section 308(a) report is not required because H.R. 2132 does not provide any new budget authority or new or increased tax expenditures.

With respect to clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the following report has been received from Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 22, 1991.

Hon. ROBERT A. ROE,
Chairman, Committee on Public Works and Transportation,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2132, a bill to authorize the Fort Smith Airport Commission to transfer to the city of Fort Smith, Arkansas, title to certain lands at the Fort Smith Municipal Airport for construction of a road. The bill was ordered reported by the House Committee on Public Works and Transportation on May 21, 1991. CBO estimates that no cost to the federal government or to state or local governments would result from enactment of this bill. Enactment of H.R. 2132 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this bill.

H.R. 2132 would authorize the Fort Smith Airport Commission to transfer to the city of Fort Smith, Arkansas title to certain lands located within the boundaries of the Fort Smith Municipal Airport for the construction of a road. As a condition of the exchange, the city of Fort Smith would close to public use a road and portions of certain roads and transfer to the Fort Smith Airport Commission title to the lands on which the road and portions of roads are situated.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mitchell Rosenfeld, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER.

INFLATIONARY IMPACT ANALYSIS

With respect to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee reports that there should be no inflationary impact on prices and costs in the operation of the national economy by enactment of H.R. 2132.

COST ESTIMATE OF LEGISLATION

With respect to clause 7(A)(1) of rule XIII of the Rules of the House of Representatives, the Committee concurs in the cost estimate submitted by the Congressional Budget Office.

With respect to clause 7(A)(2) of rule XIII for the Rules of the House of Representatives, the Committee reports that no cost estimate of H.R. 2132 was submitted to the Committee by a government agency.

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